

October 7, 2002

Mr. John T. Conway  
Site Vice President  
Nine Mile Point Nuclear Station, LLC  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - CORRECTION OF  
SAFETY EVALUATION (SE) FOR AMENDMENT NO. 176 (TAC NO. MB2442)

Dear Mr. Conway:

On September 11, 2002, the Nuclear Regulatory Commission (NRC) staff issued Amendment No. 176. Subsequent to that, your staff pointed out a number of inadvertent editorial or administrative errors in the SE for the subject amendment, as follows:

Page 2, bottom line - "Section 3.4" was mis-identified as "Section 2.4."

Page 3, Section 3.4 - Main condenser offgas requirements were retained in the Technical Specifications Section 3/4.6.15, but were inadvertently characterized as having been relocated to Section 6.10.

Page 3 - "Section 3.7" was mis-identified as "Section 2.7," "Section 3/4.6.14" as "3/4.6/14," and Section "6.18" as "6.17."

Page 6, Section 3.9 - the word "requirements" was missing from the second sentence of the second paragraph.

Page 9 - "Section 6.18" and "Section 6.19" have been mis-identified as "Section 6.17" and "Section 6.18," respectively. "Section 3/4.6.19" has been mis-identified as "Section 3/2.6.19."

Enclosed please find corrected pages with vertical lines highlighting the corrections. We apologize for any inconvenience these errors may have caused you.

Sincerely,

*/RA/*

Peter S. Tam, Senior Project Manager, Section 1  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-220

Enclosure: Corrected SE pages

cc w/encl: See next page

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Control Program,” and NUREG-1302, “Offsite Dose Calculation Manual Guidance: Standard Radiological Effluent Controls for Boiling Water Reactors (GL 89-01, Supplement No. 1),” and GL 95-01, “Relocation of Selected Technical Specifications Requirements Related to Instrumentation.” In addition to these, the NRC staff issued guidance to improve TSs in the form of NUREG-1433, “Standard Technical Specifications, General Electric Plants, BWR/4.”

### 3.0 TECHNICAL EVALUATION

The licensee’s proposed changes to the TSs are described in detail in the application. The NRC staff summarizes the detailed description and evaluates the changes below.

#### 3.1 Table of Contents

The licensee proposed to revise the Table of Contents pages iii, iv, and vi to reflect the proposed changes to relocate applicable requirements to licensee-controlled documents.

The proposed changes are conforming changes that result from other changes (see following sections). The changes to the Table of Contents are administrative, with no impact of its own on plant design or operation. The proposed changes are acceptable.

#### 3.2 Section 1.0, “Definitions”

The licensee proposed to delete definition 1.21, “Offsite Dose Calculation Manual.” The definition is no longer needed since proposed Section 6.11 “Offsite Dose Calculation Manual (ODCM),” will contain wording which will adequately define the ODCM. The deletion of this definition is administrative, with no impact of its own on plant design or operation. The deletion of this definition is consistent with the guidance in NUREG-1433. The proposed change is acceptable.

The licensee proposed to delete and relocate the following definitions to the ODCM: 1.18, “Gaseous Radwaste Treatment System;” 1.19, “Member(s) of the Public;” 1.20, “Milk Sampling Location;” 1.22, “Process Control Program;” 1.23, “Purge-Purging;” 1.24, “Site Boundary;” 1.25, “Solidification;” 1.26, “Source Check;” 1.27, “Unrestricted Area;” 1.28, “Ventilation Exhaust Treatment System;” and 1.29, “Venting.” The licensee also proposed to change definition 1.27 to reflect the updated 10 CFR Part 20 requirements.

These definitions will be relocated to the ODCM, Updated Final Safety Analysis Report (UFSAR) or Process Control Program (PCP), as appropriate. The definitions are not required pursuant to 10 CFR 50.36, “Technical Specifications.” The deletion of these definitions from the TSs is administrative, consistent with the guidance in NUREG-1433, and is acceptable.

#### 3.3 Section 3.6, “General Reactor Plant”

The licensee proposed to change paragraph A) from “Applies to Station process effluents, reactor protection system and emergency power sources” to “Applies to mechanical vacuum pump isolation, reactor protection system and emergency power sources.” This is a conforming change resulting from another change to the TSs (see Section 3.4 below). The proposed

change is administrative, with no impact of its own on plant design or operation, and is acceptable.

### 3.4 Section 3/4.6.1, "Station Process Effluents"

The licensee proposed to rename this section from "Station Process Effluents" to "Mechanical Vacuum Pump Isolation." This is a conforming change resulting from another change (see paragraph below). The proposed change is administrative, with no impact of its own on plant design or operation, and is acceptable.

The licensee proposed to delete paragraph a. of this section, with the exception of the main condenser offgas requirements, which are retained in Section 3/4.6.15. This specification serves to direct the reader to refer to Section 3/4.6.15, "Radioactive Effluents," for the appropriate effluent release limits and monitoring requirements. Paragraph 3/4.6.1.a will no longer be applicable with the relocation of the effluent release limits and monitoring requirements of Section 3/4.6.15 to the ODCM. These are administrative changes resulting from other changes to the TSs. They have no impact of their own on plant design or operation, and are acceptable.

### 3.5 Section 3/4.6.2, "Protective Instrumentation"

For entry a.(8), the licensee proposed to replace the words "Off-gas and" with "Mechanical" and to change "respective system" to "mechanical vacuum pump." This specification requires isolation of the respective system if offgas or mechanical vacuum pump isolation instrumentation requirements are not met. The proposed changes will (1) delete the reference to the offgas isolation instrumentation, and (2) update the nomenclature to more accurately reflect the retained requirements. These are conforming changes resulting from other changes to the TSs. The proposed changes are administrative, with no impact of their own on plant design or operation, and are acceptable.

### 3.6 Section 3/4.6.2, "Bases for 3.6.2 and 4.6.2 Protective Instrumentation"

The licensee proposed to delete, and relocate to the ODCM, the listed allowable set point deviations (tolerances) for the "High Radiation-Emergency Cooling System Vent" and "High Radiation Offgas Line," including the UFSAR reference. These set points are contained in Section 3/4.6.14, "Radioactive Effluent Instrumentation," which is being relocated, along with associated tables, to the ODCM (see discussion in Section 3.7 below). These are conforming changes resulting from changes to Section 3/4.6.14, and are acceptable.

### 3.7 Section 3/4.6.14, "Radioactive Effluent Instrumentation"

The licensee proposed to delete this specification, with the exception of the explosive gas monitoring instrumentation requirements, and to relocate the detailed procedural requirements, including Tables 3.6.14-1, 4.6.14-1, 3.6.14-2, and 4.6.14-2 and the applicable Bases to the ODCM. Programmatic controls will be implemented in new TSs Sections 6.11 (for the ODCM) and 6.18 (for the Radioactive Effluent Controls Program).

The licensee proposed to delete, and relocate Section 3/4.6.17, "Explosive Gas Mixture," Section 3/4.6.14.b requirements applicable to the hydrogen monitor (Instrument 2.a of Tables

### 3.9 Section 3/4.6.16, "Radioactive Effluents, Treatment Systems"

The licensee proposed to delete and relocate Subsection 3/4.6.16.a and b, "Liquids" and "Gaseous," respectively, and applicable Bases, to the ODCM. These subsections require the liquid and gaseous radwaste treatment systems to be operable and to be used to reduce the radioactive materials in liquid and gaseous wastes prior to their discharge. The specifications are intended to implement 10 CFR Part 50, Appendix A, General Design Criterion 60. These subsections do not identify a parameter that is an initiating condition or assumption for a DBA or transient, is not related to degradation of the reactor coolant pressure boundary, and is not involved with mitigation of a design-basis event. In short, the requirements in this subsection do not satisfy the criteria of 10 CFR 50.36(c)(2)(ii) for inclusion in the TSs. Accordingly, relocation of this subsection to the ODCM is consistent with the guidance contained in GL 89-01 and NUREG-1433, and is acceptable.

The licensee proposed to delete and relocate Subsection 3/4.6.16.c, "Solid," including the applicable Bases, to the PCP. Subsection 3/4.6.16.c requires the solid radwaste system to be operable and to be used in accordance with the PCP to process wet radioactive wastes to meet shipping and burial ground requirements. It does not identify a parameter that is an initiating condition or assumption for a DBA or transient, is not related to degradation of the reactor coolant pressure boundary, and is not involved with mitigation of a design-basis event. In short, the requirements in this subsection do not satisfy the criteria of 10 CFR 50.36(c)(2)(ii) for inclusion in the TSs. Accordingly, relocation of this subsection to the PCP is consistent with the guidance contained in GL 89-01 and NUREG-1433, and is acceptable.

### 3.10 Section 3/4.6.18, "Mark I Containment"

The licensee proposed to relocate this section, including the applicable Bases, to the ODCM. This section requires the Mark I primary containment drywell to be vented and purged through the emergency ventilation system. This specification is intended to provide reasonable assurance that releases from normal drywell purging operations will not exceed the annual dose limits of 10 CFR Part 20 for unrestricted areas. It does not identify a parameter that is an initiating condition or assumption for a DBA or transient, is not related to degradation of the reactor coolant pressure boundary, and is not involved with mitigation of a design-basis event. In short, the requirements in this subsection do not satisfy the criteria of 10 CFR 50.36(c)(2)(ii) for inclusion in the TSs. Accordingly, relocation of this section to the ODCM is consistent with the guidance contained in GL 89-01 and NUREG-1433, and is acceptable.

### 3.11 Section 3/4.6.19, "Liquid Waste Holdup Tanks"

The licensee proposed to delete this section, including the applicable Bases, and relocate it to the ODCM. This section provides limitations on the quantity of radioactive material contained in an outdoor liquid waste tank. This specification is intended to provide reasonable assurance that an uncontrolled release of a tank's contents would not exceed the limits of 10 CFR Part 20 for unrestricted areas. It does not identify a parameter that is an initiating condition or assumption for a DBA or transient, is not related to degradation of the reactor coolant pressure boundary, and is not involved with mitigation of a design-basis event. In short, the requirements in this subsection do not satisfy the criteria of 10 CFR 50.36(c)(2)(ii) for inclusion in the TSs. Accordingly, relocation of this section to the ODCM is consistent with the guidance contained in GL 89-01 and NUREG-1433, and is acceptable.

Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995. The records themselves do not assure safe plant operation. Relocation of the record retention requirements to the Quality Assurance Topical Report will provide adequate regulatory controls. The proposed change is acceptable.

### 3.17 Section 6.11, "Radiation Protection Program"

The licensee proposed to delete and relocate the procedural details of this specification to the UFSAR. This specification requires procedures for personnel radiation exposure to be prepared consistent with the requirements of 10 CFR Part 20. Requirements to have procedures to implement 10 CFR Part 20 are contained in 10 CFR 20.1101(b). Periodic review of these procedures is addressed in 10 CFR 20.1101(c). This specification is thus redundant to existing regulations. Its relocation from the TSs to the UFSAR is acceptable.

The licensee has proposed to change the title of proposed TS 6.11 from "Radiation Protection Program" to "Offsite Dose Calculation Manual (ODCM)." The new requirements in this specification regarding the ODCM have already been addressed in sections above. This title change is only a conforming change, and is acceptable.

### 3.17 Section 6.12, "High Radiation Area"

In its letter dated June 17, 2002, the licensee proposed to adopt the wording provided in NUREG-1433, Revision 2. As such, the proposed change is in accordance with the criteria in 10 CFR 20.1601(c) and the guidance contained in Regulatory Guide 8.38, "Control of Access to High and Very High Radiation Areas in Nuclear Power Plants." The proposed change is, therefore, acceptable.

### 3.18 Section 6.18, "Radioactive Effluent Controls Program"

The licensee proposed to add this as a new section to consolidate the programmatic regulatory requirements for the Radioactive Effluent Controls Program previously found in the deleted and relocated Sections 3/4.6.15, 3/4.6.16, 3/4.6.18, 3/4.6.19, 3/4.6.20, 3/4.6.21, and 3/4.6.22. This new section is consistent with the guidance contained in GL 89-01 and NUREG-1433. The proposed change is administrative (i.e., consolidation of requirements previously residing in the listed sections), and is acceptable.

### 3.19 Section 6.19, "Explosive Gas Storage Tank Radioactivity Monitoring Program"

The licensee proposed to add this as a new section to consolidate and relocate the programmatic regulatory requirements for the Explosive Gas Storage Tank Radioactivity Monitoring Program, previously found in the deleted and relocated Sections 3/4.6.14 and 3/4.6.19. This new section is consistent with the guidance contained in GL 89-01 and NUREG-1433. The proposed change is administrative (i.e., consolidation of requirements previously residing in the listed sections), and is acceptable.

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